

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

JUL 31 2014

Southern District of Texas

David J. Bradley, Clerk

United States of America)

v.)

Larry ALANIZ)

YOB:1975)

United States Citizen)

Case No. *M-14-1473-M**Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 19, 2014 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:*Code Section*

21 USC 846

Offense Description

Subject did knowingly and willfully conspire with other persons for the purpose of distributing 434.2 kilograms / 957.2 pounds of marijuana a Schedule I controlled substance.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.*approved by*
AUSTIN KISTNER

Complainant's signature

J. Brandon Wargo, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

*July 31, 2014**4:02 pm*

Judge's signature

City and state:

McAllen, Texas

Peter E. Ormsby, United States Magistrate Judge

Printed name and title

ATTACHMENT A

Before the United States Magistrate Judge, Southern District of Texas, I, J. Brandon Wargo, Special Agent, U.S. Immigration and Customs Enforcement, being duly sworn, depose and say the following:

On March 19, 2014, HSI Falcon Dam Special Agents and Starr County HIDTA Task Force Investigators received information from a Source of Information (SOI) stating a large quantity of marijuana was stashed on a ranch in the community of Fronton, Texas. The SOI further provided directions to the area where the marijuana was stored. Due to the nature of the information received and the need for timely action, USBP Agents, assigned to the Rio Grande City, Texas Station where notified and immediately dispatched to the area.

After arriving at the location, HIDTA Investigator Posada spoke with USBP Agent Cantu, who stated he had been forwarded the information from the station and was able to observe fresh tire sign entering the property described the SOI. USBP Agents walking through the brush were able to observe, in plain view, bundles of marijuana, which were on the interior side of a brown rusted gate. HIDTA Investigators and USBP Agents secured the area, applied for and were granted a search and seizure warrant for the property. The warrant was executed and HIDTA Investigators and USBP Agents entered the property through the brown rusted gate and seized a total of 43 bundles of compressed marijuana, which had a weight of 434.2 kilograms.

During the course of the investigation Larry ALANIZ was identified by HSI Special Agents and HIDTA Task Force Officers as being involved in the storage and transportation of the marijuana seized on March 19, 2014.

On July 29, 2014, HSI Special Agents attempted to make contact with ALANIZ at his residence, which is only a few hundred yards away from where the marijuana was located at on March 19, 2014. Special Agents were told that ALANIZ was not home and left their contact information for ALANIZ.

On July 31, 2014, ALANIZ voluntarily agreed to meet with HSI Special Agents Wargo and Thelander in Roma, Texas. ALANIZ was transported to the Roma Port of Entry for the purpose of conducting an interview. Before answering any questions or making any statements, ALANIZ was advised of his Miranda Rights in the English language by SA Wargo as witnessed by SA Thelander. ALANIZ stated the following to Special Agents in relation to the marijuana seized on March 19, 2014.

-ALANIZ claimed that on that date a Hispanic male arrived at his house and wanted to know if he wanted to work. ALANIZ stated he

understood the work would be with marijuana and agreed to do so because he needed the money for his family, since he had just been laid off from his job. (ALANIZ could not remember how much he was going to be paid.)

-ALANIZ claimed that male left and he went inside to change and when he went outside another Hispanic male was there and they walked together to the area of where the marijuana was stashed in the brush. ALANIZ claimed they were there for a little while, but eventually left the marijuana in the brush, because the phone of the other individual he was with died, so they went to his house for approximately 30-60 minutes so he could charge his phone.

-ALANIZ claimed that after the phone had charged they walked back to the brush and sat with the marijuana in anticipation of loading it into a vehicle.

-ALANIZ stated at some point they heard a United States Border Patrol helicopter and he instructed the other Hispanic male to hide the bundles in the brush, so they would not be visible to the helicopter. ALANIZ said the bundles were hidden because they contained marijuana.

-ALANIZ claimed after they heard the helicopter they observed a USBP unit near the brown rusted gate and the brown HIDTA truck, so they ran back to his house through the brush so they wouldn't be caught in possession of the marijuana.

-ALANIZ stated he is currently on Federal Probation for a past marijuana smuggling attempt.